

BOARD OF ZONING APPEALS

Minutes

August 27, 2002

The regular meeting of the Board of Zoning Appeals of the City of Wichita, Kansas, was held at 1:30 p.m., on August 27, 2002, in the Planning Department Conference Room, Tenth Floor of City Hall, 455 N. Main, Wichita, Kansas.

The following Board members were in attendance: BICKLEY FOSTER, JAMES RUANE, JAMES SKELTON, AND JOHN ROGERS. The following Board member was absent: RANDY PHILLIPS.

SHARON DICKGRAFE, Law Department present

J. R. COX, Commercial Plan Review/Commercial Zoning -- Office of Central Inspection.

The following Planning Department staff members were present:

DALE MILLER Secretary,

SCOTT KNEBEL Assistant Secretary,

ROSE SIMMERING, Recording Secretary.

RUANE: Calls meeting to order and a quorum is established. Item #1 on the Agenda, is approval of the BZA meeting minutes for July 23, 2002, and I would like the Board to review the changes I have made on my copy and bring this Item back, probably at the end of the Agenda. I have a question about the vacancy on the Board which is the Mayor's appointment. Sharon is the unanimous vote still in effect even though we are short a member?

DICKGRAFE: Yes.

SKELTON: Maybe someone can draft a letter to Mayor requesting this appointment be made.

SKELTON moves FOSTER seconds to request staff to prepare a letter to the Mayor for the Chairman to sign requesting an appointment.

Carries 4-0.

MILLER: There have been e-mails sent to the Mayor's office requesting an appointment.

RUANE: When will Erma Markham be sworn in and be replacing Floyd Pitts.

MILLER: She was to come to an informational meeting with planning staff today and did not show.

RUANE: We will move onto Item 2. Keeping with our Bylaws about no ex parte discussion, I need to let the Board know that I did telephone Michele Chauncey of the Village Neighborhood Association, and she did explain that the Neighborhood Association did not have any objection to the case or the proposed variance for the sign.

KNEBEL, Planning staff: Present staff report and slides. Staff recommends approval, subject to conditions, in the following report:

SECRETARY'S REPORT

CASE NUMBER:

BZA2002-00046

OWNER/APPLICANT:

Leewood & Associates at Village Square, LLC c/o Joe H. Lee

REQUEST:

Variance to Section 24.04.193 of the Sign Code to allow more than one ground sign per business on a zoning lot

CURRENT ZONING:

“GO” General Office

SITE SIZE:

2.38 acres

LOCATION:

North of Kellogg and east of Edgemoor

JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant proposes to install an 84 square-foot, multi-tenant ground sign on Lot 2 (see attached site plan). Lot 2 is located on the south side of Lexington and east of Edgemoor, across the street from the police and fire station. The 84 square-foot, multi-tenant ground sign would have spaces for the names of businesses located on Lots 2-5 (see attached elevation rendering). Since Lots 3-5 also would have 32 square-foot ground signs for the business(es) located on each respective lot, each business would have two ground signs. Section 24.04.193 of the Sign Code limits each business located on a “GO” General Office zoning lot to one ground sign; therefore, the applicant has requested a variance to allow each business name to be on both the sign on Lot 2 and the sign on the individual lot on which the business is located.

The applicant submitted the attached statement pertaining to the five conditions for granting the variance requested. From the discussing the nature of the request with the applicant, the applicant indicates that the only entrance (other than through a residential neighborhood) to the Village Square Office Park is from Lexington and Edgemoor. If the only signage for businesses within the office park is located along Lexington on Lot 2, then customers would not know the location individual businesses within the office park due to limitations on the size and location of building signage. Therefore, the applicant has requested a variance to also allow each business to have a ground sign on the respective lot where the business is located.

ADJACENT ZONING AND LAND USE:

NORTH	“SF-5” & “GO”	Police and fire station, Girl Scouts headquarters
SOUTH	“LC”	Various retail and auto-oriented businesses
EAST	“SF-5” & “TF-3”	Single-family residence and a duplex
WEST	“GO” & “LC”	Skaer Animal Clinic and Ultra Modern Pool

UNIQUENESS: It is the opinion of staff that this property is unique, inasmuch as the subject property has street frontage on three streets but the only entrance to the office park (other than through a residential neighborhood) is from an intersection where signage on the individual office lots is not visible.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners, inasmuch as the only residential use that directly faces the proposed signage is a duplex located along Ridgcrest, and the signage is of a scale and design that no detrimental impact on adjacent properties is anticipated.

HARDSHIP: The applicant indicates that the provisions of the sign regulations constitute an unnecessary hardship because the sign regulations do not permit a sign on the individual lot where the business is located as well as a master sign for the office park. It is the opinion of staff that the strict application of the provisions of the sign regulation constitute an unnecessary hardship upon the applicant, inasmuch as strict application of the sign regulations would result in undesirable business

locations because the location of individual businesses on each respective lot could not be determined only from a master sign for the office park.

PUBLIC INTEREST: It is the opinion of staff that the requested variances would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code. Among the purposes of the Sign Code are: the encouragement of signage that is, by their location and design, harmonious to the building and sites which they occupy; a reasonable balance between the need for the sign and advertising while preserving the visual quality of the community; and to provide direction and identification to various businesses. The proposed signage would be harmonious to the sites it will occupy, will preserve the visual quality of the community while providing advertising for the businesses in the office park, and will serve to provide direction or identification of businesses that could not be achieved by signage consistent with the code.

RECOMMENDATION: It is staff's opinion that the five conditions necessary for the granting of the variance exist; therefore, it is the recommendation of the Secretary that the variance to allow more than one ground sign per business on a zoning lot be GRANTED, subject to the following conditions:

1. The multi-tenant ground sign on Lot 2 shall be limited to a total of 84 square feet in size and no individual business shall have more than 24 square feet on the sign.
2. The ground signs on Lots 3-5 each shall be limited to a total of 32 square feet in size, and if the signs are multi-tenant signs, no individual business shall have more than 24 square feet on the sign.
3. The ground signs on Lots 2-5 shall be located in general conformance with the approved site plan; however, no sign shall be located closer than 15 feet to an adjacent property or closer than 150 feet to another sign.
4. The ground signs on Lots 2-5 shall be of a design that is in general conformance with the approved elevation renderings.
5. The applicant shall obtain all permits necessary to construct the signage, and the signage shall be erected within one year of the granting of the variances, unless such time period is extended by the Board.
6. The resolution authorizing these variances may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

FOSTER: Was the duplex was notified?

KNEBEL: Yes.

FOSTER: Is all the property owned by one owner?

KNEBEL: Yes.

FOSTER: Is Kellogg at or below grade?

KNEBEL: Kellogg is at grade now.

RUANE: Is the applicant here?

JOE LEE, PRESIDENT, 3500 N. ROCK ROAD, APPLICANT: I believe that the case has been presented fairly. We do own all of the lots. I have been to the Neighborhood Association, and they are okay with the proposed change.

RUANE: Please note that nobody else is here today to be heard on this matter. We will bring the discussion back to the Board.

FOSTER: I thought we were limiting the number of signs on Kellogg.

FOSTER MOVES SKELTON SECONDS THAT THE BOARD ACCEPT THE FINDINGS OF FACT AS SET FORTH IN THE SECRETARY'S REPORT; AND THAT ALL FIVE CONDITIONS SET OUT IN SECTION 2.12.590(b) OF THE CITY CODE AS NECESSARY FOR THE GRANTING OF A VARIANCE HAVE BEEN FOUND TO EXIST AND THAT THE VARIANCE BE GRANTED SUBJECT TO THE CONDITIONS SET OUT IN THE SECRETARY'S REPORT.

MOTION carries 4-0, and the Board adopts the following resolution:

WHEREAS, Leewood & Associates at Village Square, LLC c/o Joe H. Lee, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to Section 24.04.193 of the Sign Code to allow more than one ground sign per business on a zoning lot and legally described as follows:

Lots 2, 3, 4, 5, Village Square Addition, Wichita, Sedgwick County, Kansas. Generally located north of Kellogg and east of Edgemoor.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of August 27, 2002, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique. It is the opinion of the Board that this property is unique, inasmuch as the subject property has street frontage on three streets but the only entrance to the office park (other than through a residential neighborhood) is from an intersection where signage on the individual office lots is not visible.

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. It is the opinion of the Board that the granting of the variance requested will not adversely affect the rights of adjacent property owners, inasmuch as the only residential use that directly faces the proposed signage is a duplex located along Ridgecrest, and the signage is of a scale and design that no detrimental impact on adjacent properties is anticipated.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application. It is the opinion of the Board that the strict application of the provisions of the sign regulation constitute an unnecessary hardship upon the applicant, inasmuch as

strict application of the sign regulations would result in undesirable business locations because the location of individual businesses on each respective lot could not be determined only from a master sign for the office park.

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. It is the opinion of the Board that the requested variances would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. It is the opinion of the Board that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code. Among the purposes of the Sign Code are: the encouragement of signage that is, by their location and design, harmonious to the building and sites which they occupy; a reasonable balance between the need for the sign and advertising while preserving the visual quality of the community; and to provide direction and identification to various businesses. The proposed signage would be harmonious to the sites it will occupy, will preserve the visual quality of the community while providing advertising for the businesses in the office park, and will serve to provide direction or identification of businesses that could not be achieved by signage consistent with the code.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, that a variance to Section 24.04.193 of the Sign Code to allow more than one ground sign per business on a zoning lot and legally described as follows:

Lots 2, 3, 4, 5, Village Square Addition, Wichita, Sedgwick County, Kansas. Generally located north of Kellogg and east of Edgemoor.

The variance is hereby GRANTED, subject to the following conditions:

1. The multi-tenant ground sign on Lot 2 shall be limited to a total of 84 square feet in size and no individual business shall have more than 24 square feet on the sign.
2. The ground signs on Lots 3-5 each shall be limited to a total of 32 square feet in size, and if the signs are multi-tenant signs, no individual business shall have more than 24 square feet on the sign.
3. The ground signs on Lots 2-5 shall be located in general conformance with the approved site plan; however, no sign shall be located closer than 15 feet to an adjacent property or closer than 150 feet to another sign.
4. The ground signs on Lots 2-5 shall be of a design that is in general conformance with the approved elevation renderings.
5. The applicant shall obtain all permits necessary to construct the signage, and the signage shall be erected within one year of the granting of the variances, unless such time period is extended by the Board.
6. The resolution authorizing these variances may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 27th DAY of AUGUST, 2002.

RUANE: Mr. Lee we are happy you have come to the BZA and getting the neighborhood support prior to coming here. Other developments at this corner did not have the foresight like you have used.

RUANE: Moving on to Item #3 BZA2002-00047.

KNEBEL, Planning staff: Present staff report and slides. Staff recommends approval, subject to conditions, in the following report.

SECRETARY'S REPORT

CASE NUMBER: BZA2002-00047

OWNER/APPLICANT: Westwood Presbyterian Church c/o Bob Reinke

AGENT: Miracle Signs c/o Lori Wyatt

REQUEST:

1. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church along an arterial street to exceed 48 square feet in size;
2. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church to be lighted by a method other than indirect white light;

CURRENT ZONING: "SF-5" Single-Family

SITE SIZE: 2.04 Acres

LOCATION: Southwest corner of Maple and Woodchuck

JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant is requesting two variances on property zoned "SF-5" Single-Family. The applicant proposes to modify an existing a ground sign for Westwood Presbyterian Church, which is located at the southwest corner of Maple and Woodchuck. The attached site plan shows the location of the existing sign along Maple. The existing sign is a 48 square foot monument sign that reads "Westwood Presbyterian Church." The applicant proposes to add a 32 square-foot, internally-illuminated message board with 6-inch high changeable letters to the top of the existing monument sign. The proposed signage is illustrated in an elevation rendering and a photo simulation that are attached.

In the "SF-5" Single-Family zoning district, Section 24.04.190.11 of the Sign Code permits a church to have a 48 square foot bulletin board sign along an arterial street frontage. The applicant is requesting a variance to increase the size of the existing 48 square-foot sign to 80 square feet. Section 24.04.190.11 of the Sign Code also limits the lighting of bulletin board signs in the "SF-5" Single-Family zoning district to indirect white light. The applicant is requesting a variance to permit the message board portion of the sign to have internal illumination. The applicant submitted the attached statement pertaining to the five conditions for granting the variance requested.

ADJACENT ZONING AND LAND USE:

NORTH	"SF-5"	Single-family
SOUTH	"SF-5"	Single-family
EAST	"SF-5"	School
WEST	"SF-5"	Single-family

UNIQUENESS: It is the opinion of staff that this property is unique, inasmuch as the property is several times larger than the typical lot found in the "SF-5" Single-Family zoning district. Additionally, the

property has 230 feet of frontage along an arterial street, which is not typical for a property found in the "SF-5" zoning district.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variances requested will not adversely affect the rights of adjacent property owners, inasmuch as no adjacent residential properties will have a direct view of the sign. Additionally, non-conforming signage for Mary Benton School to the east, which is of similar size and lighting method as proposed for the church, has existed in the neighborhood for numerous years with no noticeable adverse impacts on adjacent properties.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign regulations will constitute an unnecessary hardship upon the applicant, inasmuch as the church is located in a heavily traveled area where numerous schools and churches have existing non-conforming signs of similar size and lighting method as proposed for the church, and the applicant's ability to relay information regarding events is severely limited in such an environment if the church is only permitted one small sign with indirect white lighting.

PUBLIC INTEREST: It is the opinion of staff that the requested variances would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting. Additionally, the proposed signage is of a more tasteful design than portable signage that is currently permitted for special events on the subject property.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variances requested would not oppose the general spirit and intent of the Sign Code inasmuch as the regulations for most uses located along major streets allow for larger signs based on the length of the street frontage; whereas, residential zoning districts do not have such a provision for an increase in sign square footage based on the length of the street frontage. Additionally, the lighting regulations for signs on residentially-zoned property are intended for instances where the sign is located within a residential neighborhood in close proximity to residences, rather than along a major streets and removed from residences.

RECOMMENDATION: It is staff's opinion that the signage requested is appropriate for the intended purpose of relaying information regarding events at the church. Should the Board determine that the five conditions necessary for the granting of the variances exist, then it is the recommendation of the Secretary that the variances be GRANTED, subject to the following conditions:

1. The sign shall be placed in a location that is in substantial conformance with the approved site plan.
2. The sign shall be limited to 80 square feet in area, 8.5 feet in overall height, and internal illumination by white light for the message board portion of the sign only.
3. The sign shall be of a design that is in substantial conformance with the approved elevation rendering and photo simulation.
4. Portable signage shall not be permitted on the subject property.
5. The applicant shall obtain all permits necessary to construct the signage, and the signage shall be erected within one year of the granting of the variances, unless such time period is extended by the Board.
6. The resolution authorizing these variances may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

RUANE: I am trying to understand. The variance request is to expand the sign and have it internally lit, that is it?

KNEBEL: Yes.

BOB REINKE, 10023 Hardtner, representing the church: I am a member of the Westwood Presbyterian Church. We used to meet in the Chapel. The sanctuary is new, and we have been there two years. We didn't realize the new zoning would affect us, so we wanted to add the top to it, and that is why we are here today. It was an extra \$300.00 bucks to have the lighting in it for the second variance. We need to let the public know what time the services are and what is going on in our parish. This colored sign is for a preschool that operates in our Church, and when they start have openings they put out this portable sign. Are they going to have to get away from this type of sign?

KNEBEL: That sign is illegal, so you would have to put their information on your sign. That is what will be required.

RUANE: Anyone else to be heard on this matter?

SKELTON: I think the sign is reasonable request.

FOSTER: The church will have bigger signs because of all of the events that happen here.

ROGERS MOVES FOSTER SECONDS THAT THE BOARD ACCEPT THE FINDINGS OF FACT AS SET FORTH IN THE SECRETARY'S REPORT; AND THAT ALL FIVE CONDITIONS SET OUT IN SECTION 2.12.590(b) OF THE CITY CODE AS NECESSARY FOR THE GRANTING OF A VARIANCE HAVE BEEN FOUND TO EXIST AND THAT THE VARIANCE BE GRANTED SUBJECT TO THE CONDITIONS SET OUT IN THE SECRETARY'S REPORT.

MOTION carried 4-0, and the Board adopts the following resolution:

BZA RESOLUTION NO. 2002-00047

WHEREAS, Westwood Presbyterian Church c/o Bob Reinke (owner/applicant); Miracle Signs c/o Lori Wyatt (agent), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests variances to Section 24.04.190.11 of the Sign Code to allow a bulletin board sign for a church along an arterial street to exceed 48 square feet in size; and to allow a bulletin board sign for a church to be lighted by a method other than indirect white light and legally described as follows:

Lot 1, Westwood Presbyterian Church Addition, Sedgwick County, Kansas. Generally located at the southwest corner of Maple and Woodchuck.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of August 27, 2002, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique. It is the opinion of the Board that this property is unique, inasmuch as the property is several times larger than the typical lot found in the "SF-5" Single-Family zoning district. Additionally, the property has 230 feet of frontage along an arterial street, which is not typical for a property found in the

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. It is the opinion of the Board that the granting of the variances requested will not adversely affect the rights of adjacent property owners, inasmuch as no adjacent residential properties will have a direct view of the sign. Additionally, non-conforming signage for Mary Benton School to the east, which is of similar size and lighting method as proposed for the church, has existed in the neighborhood for numerous years with no noticeable adverse impacts on adjacent properties.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application. It is the opinion of the Board that the strict application of the provisions of the sign regulations will constitute an unnecessary hardship upon the applicant, inasmuch as the church is located in a heavily traveled area where numerous schools and churches have existing non-conforming signs of similar size and lighting method as proposed for the church, and the applicant's ability to relay information regarding events is severely limited in such an environment if the church is only permitted one small sign with indirect white lighting.

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. It is the opinion of the Board that the requested variances would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting. Additionally, the proposed signage is of a more tasteful design than portable signage that is currently permitted for special events on the subject property.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. It is the opinion of the Board that the granting of the variances requested would not oppose the general spirit and intent of the Sign Code inasmuch as the regulations for most uses located along major streets allow for larger signs based on the length of the street frontage; whereas, residential zoning districts do not have such a provision for an increase in sign square footage based on the length of the street frontage. Additionally, the lighting regulations for signs on residentially-zoned property are intended for instances where the sign is located within a residential neighborhood in close proximity to residences, rather than along a major streets and removed from residences.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, that variances to Section 24.04.190.11 of the Sign Code to allow a bulletin board sign for a church along an arterial street to exceed 48 square feet in size; and to allow a bulletin board sign for a church to be lighted by a method other than indirect white light and legally described as follows:

Lot 1, Westwood Presbyterian Church Addition, Sedgwick County, Kansas. Generally located at the southwest corner of Maple and Woodchuck.

The variances are hereby GRANTED, subject to the following conditions:

1. The sign shall be placed in a location that is in substantial conformance with the approved site plan.

2. The sign shall be limited to 80 square feet in area, 8.5 feet in overall height, and internal illumination by white light for the message board portion of the sign only.
3. The sign shall be of a design that is in substantial conformance with the approved elevation rendering and photo simulation.
4. Portable signage shall not be permitted on the subject property.
5. The applicant shall obtain all permits necessary to construct the signage, and the signage shall be erected within one year of the granting of the variances, unless such time period is extended by the Board.
6. The resolution authorizing these variances may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 27th DAY of AUGUST, 2002.

J.R. COX, Office of Central Inspection: I have no report today.

FOSTER: This is the third church probably within the last year, and they need more signs. The Sign Code needs changed. The churches are spending money that is a waste because the Code needs updated. Maybe staff can have meetings about changing the Sign Code?

MILLER: There is another issue that we are going to bring out to the DAB'S and ask whether or not they feel that churches as a use by right in SF-5 is still appropriate because of the character of the neighborhoods, and because many of the churches today have those activities so many nights a week now and not just on Wednesday and Sunday's. We need to look at the Zoning Code and the Sign Code because the churches are acting like a commercial operation more and more often.

FOSTER: I looked up the federal act that has been in effect about a year now, and it limits the ability of zoning because it is a religious thing, and the churches are doing so many things. Because the neighborhoods are not happy with the churches anymore with the increased traffic etc.

RUANE: Will you share that research with Dale for free? The churches are evolving more and more. You have preschools all day, and AA meetings all night, and they are helping with the community service, but they do become more like a commercial use and generate more traffic patterns as well.

FOSTER: Many of them have church schools as well. I will send Dale some material.

J. R. COX: Kortney Capello has moved out of OCI and will not be reporting to the BZA in my place. I will let you know when a replacement is named.

FOSTER: The only case so far that I regret voting for is on the northeast corner Douglas and West Street on the car lot or sales lot. I noticed that they have two large lights on a pole that lights up the entire sales lot and another one at the other end. I do not know if that was what we approved or not. It impaired my vision when I was driving the other night.

J.R. COX: I do not know if that is something we approved or not. I can look at it.

RUANE: We need to go back to the minutes with the amendments and corrections that I have marked on them.

ROGERS moves SKELTON seconds to approve the "Minutes of July 23, 2002 as amended.

Motion carried 4-0.

Meeting adjourned at 2:10 p.m.